



SAN FRANCISCO DISTRICT

PUBLIC NOTICE

Regulatory Branch
333 Market Street
San Francisco, CA 94105-2197

NUMBER: 29332S DATE: July 7, 2005
RESPONSE REQUIRED BY: July 22, 2005

PERMIT MANAGER: Holly Costa

PHONE: 415-977-8438

Email: Holly.N.Costa@usace.army.mil

1. INTRODUCTION: The County of San Mateo (Mr. Mark Chow, County of San Mateo Department of Public Works, 555 County Center, 5th Floor, Redwood City, California 94063-1665, ((650)599-1489), has applied for a U.S. Army, Corps of Engineers (Corps) permit for a 5-year Maintenance Plan to maintain the flood carrying capacity of the Cupid Row Flood Control Canal through management of sedimentation. This application is being processed pursuant to the provisions of Section 404 of the Clean Water Act (33 U.S.C. Section 1344).

2. PROPOSED PROJECT:

Project Site: The project would be located along the western edge of the San Francisco International Airport at the BART, San Mateo County, California (approximate coordinates: 37° 37' 21"N, 122° 24' 23"W (WGS84/NAD83)).

The Cupid Row Canal was built in 1970 to provide flood control for the then newly created San Bruno Creek Flood Control District. From 1976, the canal was dredged approximately every two to three years to remove accumulated sediments. From 1999 to 2002, during the Bay Area Rapid Transit (BART) San Francisco International Airport Station construction, the upper portion of the canal was rerouted to facilitate the design of the BART alignment. The BART alignment construction prevented the County from dredging the canal due

to access limitations. During this time, the banks of the canal were colonized by native willows (*Salix* spp) and the active channel was heavily infested by non-native cattails (*Typha* spp).

Project Description: As shown in Figures 1 and 2, the County proposes to manage the sediment load of the canal by removing the accumulated sediment at the beginning of the canal immediately below the culvert, which emerges from the new BART crossing.

The project would involve the excavation of approximately 120 linear feet (0.05 acre) of the Cupid Row Canal. The site would be dewatered using sandbag cofferdams during summertime low flows. Water would be pumped around the cofferdams as a bypass. All sediment removal would be confined to the uppermost portion of the site.

Purpose and Need: The basic purpose of this project is to temporarily dewater a portion of the canal to facilitate the removal of sediment. The overall need of this project is to maintain flood carrying capacity in the flood control channel.

Impacts: The project would result in 4.45 cubic yards (cy) of temporary fill into 0.05 acre of Corps jurisdictional waters and wetlands on a biannual basis. Approximately 120 linear feet of stream would be temporarily dewatered.

3. COMPLIANCE WITH VARIOUS FEDERAL LAWS:

National Environmental Policy Act of 1969 (NEPA): The Corps will assess the environmental impacts of the proposed action in accordance with the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. Section 4371 et. seq.), the Council on Environmental Quality's Regulations (40 C.F.R. Parts 1500-1508), and the Corps' Regulations (33 C.F.R. Part 230 and Part 325, Appendix B). Unless otherwise stated, the Environmental Assessment will describe only the impacts (direct, indirect, and cumulative) resulting from activities within the Corps' jurisdiction. The documents used in the preparation of the Environmental Assessment will be on file with the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 333 Market Street, San Francisco, California 94105-2197.

Endangered Species Act of 1973 (ESA): Section 7 of the Endangered Species Act requires formal consultation with the U.S. Fish and Wildlife Service (FWS) and/or the National Marine Fisheries Service (NMFS) if a Corps permitted project may adversely affect any Federally listed threatened or endangered species or its designated critical habitat. Species and critical habitat currently identified as potentially impacted by the proposed project include San Francisco Garter Snake (SFGS: *Thamophis sirtalis tetrataenia*) and California Red-legged Frog (CRLF: *Rana aurora draytonii*).

Clean Water Act of 1972 (CWA):

a. Water Quality: Under Section 401 of the Clean Water Act (33 U.S.C. Section 1341), an applicant for a Corps permit must first obtain a State water quality certification before a Corps permit may be issued. The applicant has provided the Corps with evidence that he has submitted a valid request for State water

quality certification to the San Francisco Bay Regional Water Quality Control Board.

Those parties concerned with any water quality issue that may be associated with this project should write to the Executive Officer, California Regional Water Quality Control Board, San Francisco Bay Region, 1515 Clay Street, Suite 1400, Oakland, California 94612 by the close of the comment period of this Public Notice.

b. Alternatives: Evaluation of this proposed activity's impact includes application of the guidelines promulgated by the Administrator of the Environmental Protection Agency under Section 404(b)(1) of the Clean Water Act (33 U.S.C. Section 1344(b)). An evaluation has been made by this office under the guidelines and it was determined that the proposed project is water dependent.

National Historic Preservation Act of 1966 (NHPA): Based on a review of survey data on file with various City, State and Federal agencies, no historic or archeological resources are known to occur in the project vicinity. If unrecorded resources are discovered during construction of the project, operations will be suspended until the Corps completes consultation with the State Historic Preservation Office (SHPO) in accordance with Section 106 of the National Historic Preservation Act.

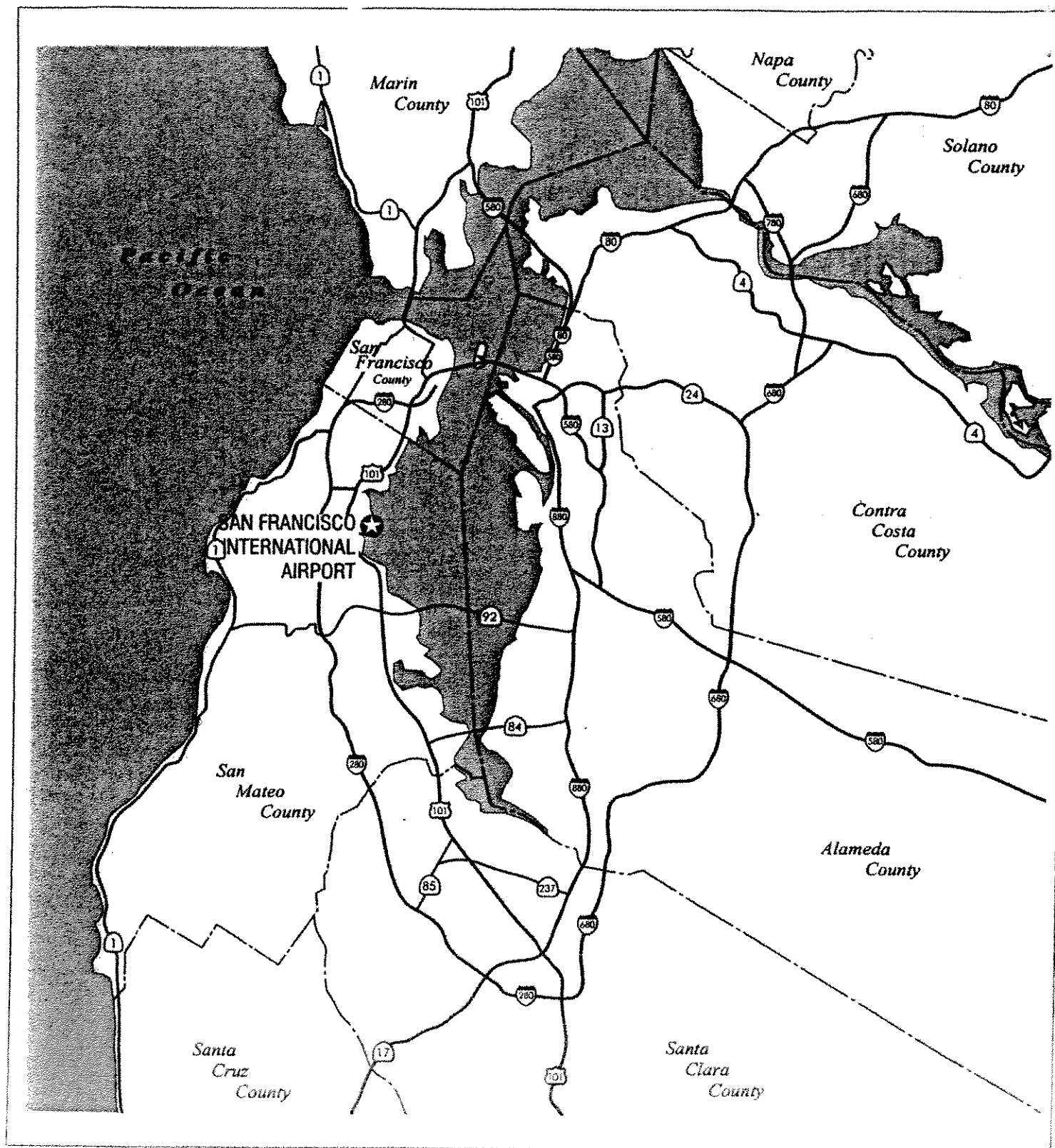
4. PUBLIC INTEREST EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits that reasonably may be expected to accrue from the proposed activity must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including its cumulative

effects. Among those factors are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

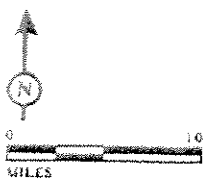
5. CONSIDERATION OF COMMENTS: The Corps of Engineers is soliciting comments from the public, Federal, State and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest in the proposed activity.

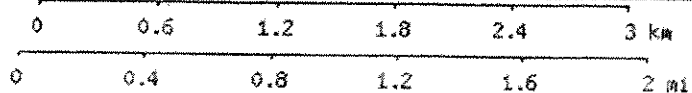
6. SUBMISSION OF COMMENTS: Interested parties may submit, in writing, any comments concerning this activity. Comments should include the applicant's name and the number and the date of this Public Notice, and should be forwarded so as to reach this office within the comment period specified on Page 1. Comments should be sent to the U.S. Army Corps of Engineers, San Francisco District, Regulatory Branch, 333 Market Street, San Francisco, California 94105-2197. It is the Corps' policy to forward any such comments that include objections to the applicant for resolution or rebuttal. Any person may also request, in writing, within the

comment period of this Public Notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Additional details may be obtained by contacting the applicant whose name and address are indicated in the first paragraph of this Public Notice or by contacting Holly Costa of our office at telephone 415-977-8438 or E-mail: Holly.N.Costa@usace.army.mil. Details on any changes of a minor nature that are made in the final permit action will be provided upon request.



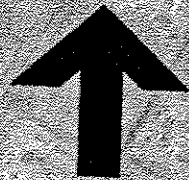
LSA




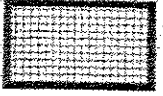


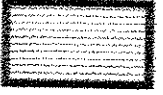
Montara Mountain quadrangle


USACE File # 29332S
Project Location



 **Access Road**

 **Staging Area**

 **Sediment Management Area**

 **Cattail Removal and Willow Management Area**

BART Crossing

Flow →

1

2

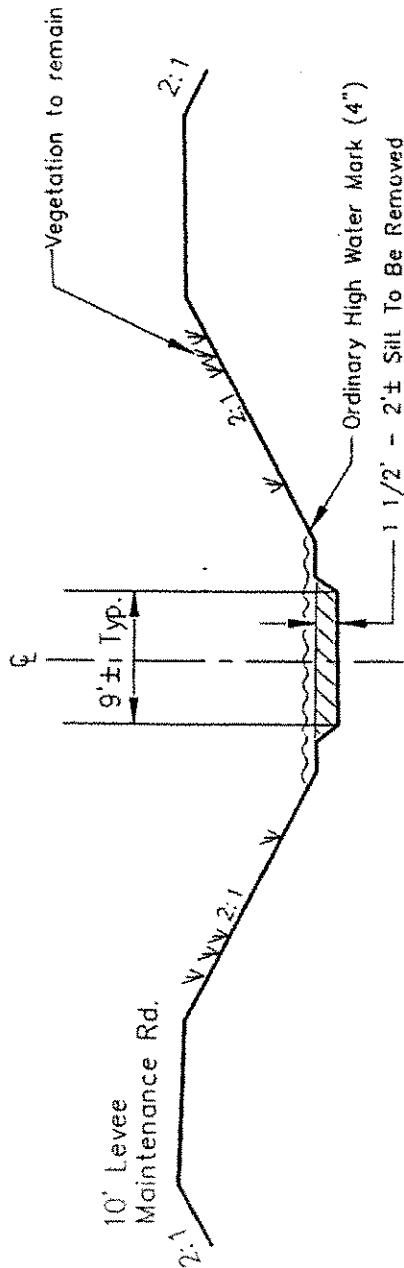
Lower Limit of Sediment Management Area

Cupid Row Canal Flood Control Maintenance Project Site Map.

San Mateo County Department of Public Works -
555 County Center, 5th Floor
Redwood City, Ca. 94063-1665

Source: USGS 7 1/2' Quadrangles- San Francisco South, Hunters Point, and San Mateo.





CUPID ROW CANAL - 9' ± FLAT BOTTOM

GENERAL CROSS SECTION

NOT TO SCALE

Length = 4,100± L.F.
Estimated material to be Excavated = 2,300± cu.yd

PURPOSE: PROVIDE FLOOD CONTROL	<p>TYPICAL CROSS SECTION CUPID ROW CANAL SCALE AS STATED</p> <p>SAN MATEO COUNTY FLOOD CONTROL DISTRICT 10 TWIN DOLPHIN DRIVE, SUITE C-200 REDWOOD CITY, CA 94065-1065</p>	<p>INTERURBAN CHANNEL MAINTENANCE ON: SAN FRANCISCO INTL. AIRPORT PROPERTY AT: SAN BRUNO COUNTY: SAN MATEO STATE: CA APP. BY: SAN MATEO COUNTY FLOOD CONTROL DISTRICT SHT. 6 OF 11 08/08/97</p>
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